

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**DELMARK ROBINSON and  
EVELYN ROBINSON**

**PLAINTIFFS**

**V.**

**NO. 4:25-CV-20-DMB-DAS**

**WINONA POLICE DEPARTMENT;  
et al.**

**DEFENDANTS**

**ORDER**

On March 6, 2025, United States Magistrate Judge David A. Sanders issued a report (“R&R”) recommending that Delmark Robinson and Evelyn Robinson’s motion to proceed in forma pauperis be denied. Doc. #7. The R&R warned that “[f]ailure to file written objections to the proposed finding and recommendations contained in this report within fourteen days … will bar an aggrieved party from challenging on appeal both the proposed factual findings and the proposed legal conclusions accepted by the district court.” *Id.* at PageID 37. No objections to the R&R were filed.

Under 28 U.S.C. § 636(b)(1)(C), “[a] judge of the court shall make a de novo determination of those portions of the report … to which objection is made.” “[P]lain error review applies where a party did not object to a magistrate judge’s findings of fact, conclusions of law, or recommendation to the district court despite being served with notice of the consequences of failing to object.” *Quintero v. State of Texas – Health and Hum. Servs. Comm’n*, No. 22-50916, 2023 WL 5236785, at \*2 (5th Cir. Aug. 15, 2023) (cleaned up). “[W]here there is no objection, the Court need only determine whether the report and recommendation is clearly erroneous or contrary to law.” *United States v. Alaniz*, 278 F. Supp. 3d 944, 948 (S.D. Tex. 2017).

Because the Court reviewed the R&R for plain error and concludes the R&R is neither

clearly erroneous nor contrary to law, the R&R [7] is **ADOPTED** as the order of the Court. The Robinsons' motion to proceed in forma pauperis [2] is **DENIED**. The Robinsons must pay the filing fee within twenty-one days of the date of this order and if they do not pay the filing fee as instructed, the Clerk of the Court is directed to dismiss this case without prejudice without further action by the Court.

**SO ORDERED**, this 4th day of April, 2025.

/s/Debra M. Brown  
**UNITED STATES DISTRICT JUDGE**